

Exhibit 2

IN THE SUPERIOR COURT OF TIFT COUNTY
STATE OF GEORGIA

SHERRI McBRAYER,
Individually and as the
Surviving Spouse of
JAMES AARON McBRAYER,
Deceased, and on Behalf
of Samuel Aaron McBrayer
and Jordan Janice
McBrayer, as the Surviving
Children of James Aaron
McBrayer, Deceased,

Plaintiff,

vs.

HON. GENE SCARBROUGH, in
His Official Capacity as
Sheriff of Tift County,
Georgia,

Defendant.

Civil Action File
No. 2019CV347

Deposition of ANGELIQUE DUNN McBRAYER,
called by the Defendant, taken pursuant to the
Georgia Civil Practice Act, was reported by Debbie
Paulk Mixon, Certified Court Reporter, Registered
Professional Reporter, Certified Realtime Reporter,
and Notary Public, at the offices of Hall Booth
Smith, PC, 1564 King Road, Tifton, Georgia,
commencing at approximately 1:00 p.m. on the 28th
day of October 2020 and concluded on the same date.

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1 the end of your marriage that you made calls to 911?

2 A. Now, I haven't really made calls to 911,
3 if you're asking me if I made them. There might be
4 two I've ever made. Because he wrecked a truck
5 once. You're just talking about I myself has not
6 called more than one or two times on -- 911, at the
7 most.

8 Q. Well, my question originally was whether
9 you had called law enforcement, 911, about Aaron's
10 conduct. And you said there were --

11 A. Yeah, I don't think --

12 Q. -- multiple times.

13 A. I'll have to go look it up. I'll have
14 to try to figure it out. I mean, I don't think I've
15 ever called 911 maybe one or two times. I can't
16 remember. I mean, I know he's wrecked a truck one
17 time, I called. Gosh. This is going back a long
18 time. Probably twice I've called. I just -- I know
19 the law's came out there because he was on probation
20 a lot. And that's not considered anybody calling.
21 There was a lot of probation stuff.

22 Q. What do you recall calling for law
23 enforcement about in relation to Aaron's conduct?

24 A. Oh, conduct, none. If that was -- I
25 don't know. I don't know. I don't know if I've

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1 A. Yeah. I knew he -- I knew he was at his
2 mother's, because he had told me.

3 Q. Did he ever say anything about going
4 anywhere else other than to his mother's house that
5 evening?

6 A. Huh-uh (negative response). Going to
7 our house.

8 Q. Right, later. But I mean anyplace else.

9 A. Huh-uh (negative response).

10 Q. That's no?

11 A. No, not that I can think of. Not
12 offhand, don't ring a bell.

13 Q. And he was driving a pickup truck that
14 evening, correct?

15 A. Me?

16 Q. No. He -- Aaron was driving a pickup
17 truck that evening?

18 A. It was parked at his mother's. I
19 never -- I mean, the only time he drove it was when
20 the accident occurred.

21 Q. All right. What vehicle was he
22 regularly driving at that period of time?

23 A. The white Dodge.

24 Q. The white Dodge pickup?

25 A. Uh-huh (positive response).

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1 Q. The one you were saying was parked at
2 his mom's?

3 A. It was there, and so was the silver one.

4 Q. What silver --

5 A. He had two trucks. I don't even know
6 what kind it was. He had a silver, maybe, Dodge
7 Ram, big one, new one, and a white pickup truck.

8 Q. All right.

9 A. Dodge. I don't know if it was a Ram.

10 Q. And you believe that during the evening
11 of -- Tuesday evening before the incident occurred
12 early into that Wednesday morning, both those pickup
13 trucks had been at his mother's house, he had had
14 them both there?

15 A. I'm wanting to think that when I pulled
16 up -- because it was like 1:30, 2:00 in the morning.
17 I didn't really -- I thought -- I'm thinking the
18 white truck was up under the barn. I know the
19 silver truck was out of the driveway parked beside
20 the house. Like the way Mom's house is, behind the
21 carport.

22 Q. Well, which vehicle had he been driving
23 when he ran off the road into that ditch?

24 A. The silver one.

25 Q. All right. But you had not seen him

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1 driving it earlier that evening, before you came
2 over to the scene, right?

3 A. He was riding with me. He asked me to
4 pick him up and bring him to the house.

5 Q. And you understand you would be going to
6 pick him up at his mother's house?

7 A. Correct.

8 Q. You didn't know he was going to be
9 driving somewhere?

10 A. He wasn't going to be driving anywhere.
11 We had no plans for him to drive anywhere.

12 Q. Do you know why he ended up driving the
13 silver pickup truck?

14 A. I do.

15 Q. Why?

16 A. Because before we got into my car, there
17 was a car that pulled up at his mother's driveway.
18 Aaron jumped in the silver truck to go see who it
19 was and overcorrected and hit the ditch. Completely
20 360 of a person, completely. Hit his head on the
21 dash, was acting -- I was trying to get him to go to
22 the hospital --

23 Q. All right. Back up, now.

24 A. -- because there was major change.

25 Q. All right. So you told me earlier that

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1 Q. Okay. So he would be going maybe 10
2 miles an hour?

3 A. Correct, maybe 15. I don't know. I
4 didn't see the speedometer. I just -- the truck
5 didn't look like it was going that fast. And when
6 it went out of the driveway --

7 Q. Sure.

8 A. -- it just looked as if he over-- I'm
9 assuming he overcorrected, because the embankment is
10 not far from the driveway. So -- and when he did,
11 he was in a major medical situation, complete 360.

12 Q. But he had been going only 10 or 15
13 miles an hour in the vehicle?

14 A. But he didn't have a seatbelt on, and
15 the airbags deployed. And I'm not sure if the -- I
16 had seen cuts and, I mean, totally different person.
17 Doesn't matter, I mean. He -- something changed
18 when he hit. He had to have hit his head. He was
19 not even the same person.

20 Q. If the airbags came -- deployed and
21 he -- the airbags would have hit his face, would
22 have protected him from hitting anything else,
23 right?

24 A. I don't think so, if they would have --
25 I don't know. I haven't seen the truck. I just

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1 screaming, and that was -- something was wrong. You
2 can't -- there was something wrong. Because why --
3 I mean, he wouldn't have went into all that --

4 Q. You didn't know he had --

5 A. -- if it wasn't something wrong.

6 Q. -- drugs in his system?

7 A. There was no drugs. He was sitting
8 there for two hours calm, talking, laughing, cutting
9 up.

10 Q. You're not aware that the autopsy
11 disclosed he had drugs in his system?

12 A. I am aware. But that morning, from
13 2:00, I'm aware he didn't put anything into his
14 body.

15 Q. So after he came out of the driveway,
16 overcorrected, went in the ditch, you said he got
17 out and was running around?

18 A. Holding his head.

19 Q. Did he run toward you?

20 A. He was running -- I parked -- I came off
21 the road, and I sat there. And I was like, "Get
22 in."

23 And he was like, "My head, my head," you
24 know. And then he kind of went up through where we
25 used to live. So that was what was strange. It was

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1 And then 911 was dispatched for him,
2 MVR, injuries.

3 Q. How long was the driveway at that house,
4 from the house down to where the wreck occurred?

5 A. Probably this driveway to maybe that
6 next road. It's a good little piece.

7 Q. So what would you estimate --

8 A. I don't have an --

9 Q. -- couple of hundred feet?

10 A. -- estimation on time -- I mean -- I
11 mean on -- I don't know.

12 Q. Okay.

13 A. I've walked it a many a day -- I know
14 that -- and it's taken me like ten minutes to get
15 down the driveway walking.

16 Q. So it's -- the way it is now is the way
17 it was at the time --

18 A. Yes.

19 Q. -- of the incident? Okay.

20 A. Correct.

21 Q. So you drove down there to where he had
22 run off the road --

23 A. To check on him.

24 Q. -- correct? And that -- you stayed in
25 your vehicle when you --

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1 A. Correct.

2 Q. -- saw him? And then he took off, you
3 said, away from you?

4 A. Uh-huh (positive response).

5 Q. That's a yes?

6 A. Yes.

7 Q. And then you basically follow along?

8 A. Yes.

9 Q. Okay. But you didn't have your phone
10 with you?

11 A. I couldn't find my phone. I didn't -- I
12 looked, and then I'm in an emergency. You know, I
13 don't -- I'm trying to help him. I didn't -- I
14 couldn't -- it wasn't right there. And I'm like,
15 "Aaron, get in. Let's go to the hospital.
16 Something's wrong." I kept saying, "Something's
17 wrong."

18 Q. So you had your phone with you?

19 A. Somewhere, because I recorded the video
20 when they said they wasn't taking him to the
21 hospital.

22 Q. All right. So again, walk me through
23 step by step as you're driving along Hall Road.
24 Aaron is running off, and then he -- do you lose
25 sight of him at some point there?

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